

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

PCT/DE2003/002296



10/531065

Applicant's or agent's file reference W1.2005PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/002296	International filing date (day/month/year) 09 July 2003 (09.07.2003)	Priority date (day/month/year) 16 October 2002 (16.10.2002)
International Patent Classification (IPC) or national classification and IPC B41F 23/04		
Applicant KOENIG & BAUER AKTIENGESELLSCHAFT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>3</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input checked="" type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 05 November 2003 (05.11.2003)	Date of completion of this report 14 January 2005 (14.01.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/002296

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____ 1-13 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____ 1-16 _____, filed with the letter of _____ 22 October 2004 (22.10.2004)
- ☒ the drawings:
 pages _____ 1/3-3/3 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☒ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

See supplemental sheet

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos. _____

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV.

Lack of Unity of Invention

1. This Authority has determined that the present international application contains multiple inventions that are not linked by a single general inventive concept (PCT Rule 13.1):

I: Claims 1, 3 to 12 and 14 to 16:

Sections of a dryer through which material webs pass.

II: Claims 2 and 13:

Arrangement of a heating system and air outlet openings of a material web dryer.

2. The reasons are as follows:

A dryer for printed material webs with a passage channel having straight sections through which the web passes meanderingly according to the features essential to the first invention in claim 1 does not necessarily include a specific arrangement of the heating system and the air outlet openings as per the features essential to the second invention in claim 2, and vice versa. A dryer according to the first invention could have any other arrangement of a heating system or could be constructed without air outlet openings, while a dryer according to the second invention could also include sections through which the web passes in a straight line, one after the other.

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV.

3. A dryer having all of the features of the identical preambles of the two independent claims, claims 1 and 2, is already known from document DE-A-4 429 891.
4. Contrary to the requirements of PCT Rule 13.1, there is no link between the two inventions in the form of a mutual technical relationship involving the same or corresponding special technical features in **both** independent claims 1 and 2.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-16	YES
	Claims		NO
Inventive step (IS)	Claims	1-16	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-16	YES
	Claims		NO

2. Citations and explanations

1. First Invention / Claims 1, 3 to 12 and 14 to 16

1.1. Claim 1

1.1.1. Prior Art:

Document DE-A-4 429 891, which is cited in the description, discloses a dryer having all of the features of the preamble of independent claim 1.

1.1.2. Problem:

Providing a dryer for a material web.

1.1.3. Solution:

The specific combination of all of the features of claim 1, particularly the specific arrangement of two sections with respect to the plane determined by the vertically-passing material web according to the characterizing part of claim 1, is neither described in nor suggested by the prior art, and so the invention involves an inventive step.

1.2. Claims 3 to 12 and 14 to 16

Dependent claims 3 to 12 and 14 to 16 define advantageous embodiments of the dryer, each having all of the features of independent claim 1.

2. Second Invention / Claims 2 and 13

2.1. Claim 2

2.1.1. Prior Art:

Document DE-A-4 429 891, which is cited in the description, discloses a dryer having all of the features of the preamble of independent claim 2.

2.1.2. Problem:

Providing a dryer for a material web.

2.1.3. Solution:

The specific combination of all of the features of claim 2, particularly the specific arrangement of sections with air outlet openings in sections of the passage channel and with a heating system according to the characterizing part of claim 2, is neither described in nor suggested by the prior art, and so the invention involves an inventive step.

2.2. Claim 13:

Dependent claim 13 defines an advantageous embodiment of the dryer having all of the features of independent claim 2.